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PAUL F. NEILS
SUGRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20037-3213

MAIL

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**DIRECTOR OFFICE
TECHNOLOGY CENTER 2600**

In re Application of
Yong-yu Chi
Application No. 09/176,940
Filed: October 22, 1998
For: Head Drum Assembly for
Tape Recorder

DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT

This is a decision on the petition filed March 20, 2001, requesting withdrawal of the holding of abandonment for the above-identified application.

This application was held abandoned for failure to respond in a timely manner to the Office action mailed May 30, 2000. A Notice of Abandonment was mailed March 14, 2001.

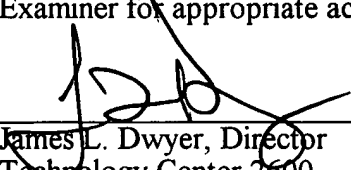
Petitioner asserts that a proper response was timely filed in the form of a request for continued prosecution application (CPA). In support of the petition, petitioner submits a copy of the CPA, a date-stamped post card receipt acknowledging receipt of the continuation application transmittal form, and check no. 153361 in the amount of \$690.00 on June 16, 2000.

The originally filed response was not matched with the file and has not been located. M.P.E.P. § 503 states, "[a] post card receipt which itemizes and properly identifies the papers which are being filed serves as evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." Accordingly, it is concluded that the correspondence was received in the PTO but not matched with the file.

For the reasons stated above, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Any inconvenience caused to petitioner is regretted.

The petition is **GRANTED**.

The application file is being forwarded to the Technology Center support staff for entry of the CPA and the response filed June 16, 2000 but unentered. The file will then be forwarded to the Examiner for appropriate action.


James L. Dwyer, Director
Technology Center 2600
Communications